

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-11 are pending in this case. Claims 12-14 has been canceled without prejudice or disclaimer. Claims 1-11 have been amended by the present Amendment. Amended Claims 1-11 are supported, for example, by page 29, lines 23-31 of the specification, and the original claims. No new matter has been added.

In the outstanding Office Action, Claim 14 was objected to; Claims 8 and 9 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite; and Claims 11-13 were rejected under 35 U.S.C. § 101.

Claims 1-7 and 10 were allowed. Applicants acknowledge with appreciation the indication of allowable subject matter.

Applicants acknowledge with appreciation the courtesy of Examiner Mariam for the telephone discussion with Applicants' representative on August 30, 2007. During the discussion, the rejection of Claims 8 and 9 under 35 U.S.C. § 112, second paragraph was discussed. Applicants representative explained that the specification at page 29, lines 17-22 adequately supports the features of Claims 8 and 9. In light of the discussion, the Examiner agreed to withdraw the rejection of Claims 8 and 9 under 35 U.S.C. § 112, second paragraph.

In response to the objection to Claim 14, Claim 14 has been cancelled rendering the objection moot. Accordingly, Applicants respectfully request the objection be withdrawn.

In response to the rejection of Claims 11-13 under 35 U.S.C. § 101, Claim 11 has been amended to define a computer readable medium encoded with a computer program configured to cause a processor to execute a video face detection method, and has been amended to be in independent form. Claims 12-14 are canceled. MPEP 2106 IV.B.1(a) states that:

A claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory.

In view of the presently submitted claim amendments and foregoing comments Applicants respectfully submit that Claim 11 defines statutory subject matter. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 101 be withdrawn.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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